

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 JACOBY DERAILE HUBBARD,

4 Plaintiff,

5 v.

6 HOWELL, *et al.*,

7 Defendants.
8

Case No. 3:20-cv-00088-MMD-CLB

ORDER

9 **I. DISCUSSION**

10 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by
11 an individual who has been released from the custody of the Nevada Department of
12 Corrections. On February 14, 2020, Plaintiff submitted an application to proceed *in forma*
13 *pauperis* for prisoners. (ECF No. 4). On February 19, 2020, the Court denied Plaintiff's
14 application to proceed *in forma pauperis* because it was incomplete and directed Plaintiff
15 to file a new fully complete application. (ECF No. 6). On February 21, 2020, Plaintiff filed
16 a notice of change of address advising the Court he is now on parole. (ECF No. 10).
17 Therefore, the Court now directs Plaintiff to file an application to proceed *in forma*
18 *pauperis* by a non-prisoner within thirty (30) days from the date of this order or pay the
19 full filing fee of \$400. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1)
20 but will not file it until the matter of the payment of the filing fee is resolved.

21 **II. CONCLUSION**

22 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL
23 SEND Plaintiff the approved form application to proceed *in forma pauperis* by a non-
24 prisoner, as well as the document entitled information and instructions for filing an *in forma*
25 *pauperis* application.

26 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
27 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for
28 non-prisoners; or (2) pay the full filing fee of \$400.

1 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
2 dismissal of this action may result.

3 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
4 (ECF No. 1-1) but shall not file it at this time.

5 DATED: March 10, 2020.

6
7 
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28